



OFFICE OF ADMINISTRATION ADMINISTRATIVE POLICY

POLICY TITLE: Employee Grievances	AUTHORIZED BY:
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ISSUED: August 1, 1984	REVISED: August 1, 1997

I. General Statement

The Office of Administration has an orderly grievance policy for the settlement of differences between management and employees. This policy is intended to assure fair and equitable treatment of all employees and promote harmonious relations within the agency.

A grievance includes any complaint grounded in a circumstance thought to be unjust or injurious. Any reasonable work-related concern of an employee or group of employees may be grieved by use of the provisions of this policy, except where the grievance involves personnel transactions or administrative decisions for which the Rules and Regulations of the Personnel Advisory Board provide a specific appeal process.

This policy establishes departmental practices as authorized under 1 CSR 20-4.020 of the Rules and Regulations of the Personnel Advisory Board.

II. Grievance Procedures

- A. Any grievance should, in the first instance, be brought to the attention of the employee's immediate supervisor in writing and clearly stating the problem and the remedy desired. The employee's supervisor shall respond in writing within five workdays. A grievance must be filed within 30 days of the date the employee became aware of the grievance.
- B. If dissatisfied with the decision of the immediate supervisor, the employee may present the grievance within five workdays of the supervisor's decision to any person who is responsible for supervision of the employee's section. Within five workdays of receipt of the written grievance, the manager shall meet with the grievant, the immediate supervisor, and intermediate supervisor (if any) to discuss the complaint and provide a written reply to the grievant within five workdays.
- C. If dissatisfied with the decision of the manager, the employee may within five workdays following the manager's decision, present the written grievance (together with the manager's written response) to the division director, who shall review all matters pertinent to the grievance and provide a written reply to the employee within five workdays.
- D. If dissatisfied with the decision of the division director, the employee may within five workdays following the division director's decision, present the written grievance (together with the prior written responses) to the Commissioner of



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Administration. The Commissioner shall review all matters pertinent to the grievance and seek, as required, recommendations from staff advisors and/or impartial employees. Within ten workdays, the Commissioner shall render a decision in writing. The Commissioner's decision shall be final, unless the law provides for other appeal procedures regarding the subject matter involved in the grievance.

III. Additional Provisions

- A. Failure by any employee, supervisor or manager to adhere to any final determination reached in a grievance proceeding shall be cause for disciplinary action. Such action shall follow the principles of progressive discipline and be based on the severity of the offense.
- B. The Personnel Office of the Office of Administration will be available to advise employees, supervisors and managers concerning the processing of grievances.
- C. Grievances will be processed and discussed during normal working hours without loss of time or pay; however, grievants shall cooperate with supervisors and managers so as to permit a minimum of interference with normal operations.
- D. Beginning with Step 2 of the procedure, the grievant may be represented by another party of the grievant's choice. In no case, however, shall fees charged by any such representative be paid by the Office of Administration.
- E. A grievance that is not advanced by the grievant within the specified time limits will be considered resolved. A grievance will automatically be advanced to the next step if a response is not given within the required time frame. By mutual written consent, the time limits for advancing or responding to the grievance may be extended.
- F. By mutual written consent of employee and department, any intermediate steps of the procedure may be omitted. In those cases where some steps are inappropriate due to organizational structure, only the appropriate steps should be followed.

IV. Prohibition Against Retaliation

The Office of Administration will not permit any employee to retaliate against any individual who files an employee grievance. Retaliation is a serious violation of this policy and should be reported immediately. Any individual found to have retaliated



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against an individual for filing an employee grievance will be subject to appropriate disciplinary action.